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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/805,376	03/14/2001	Jake Hill	36-1578	1537
23117 7590 07/11/2008 NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203				
EXAMINER TRUONG, THANHNGA B				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

09/805,376

**Applicant(s)**

HILL ET AL.

**Examiner**

Thanhnga B. Truong

**Art Unit**

2135

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 and 25-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 25-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/88)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

### DETAILED ACTION

1. This action is responsive to the communication filed on August 7, 2008. Claims 1-8 are pending. Claims 9-24 are cancelled and claims 25-32 are newly added by the applicant. At this time, claims 1-8 and 25-32 are rejected.

#### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

The fact that Examiner may not have specifically responded to any particular arguments made by Applicant and Applicant's Representative, should not be construed as indicating Examiner's agreement therewith.

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 6, 8, 25-27, 30, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hair (US 6,615,349 B1), and further in view of Frailong et al (US 6,496,858 B1).

a. *Referring to claim 1:*

i. Hair teaches a device for interfacing between a computer and a network, said device being pluggable into a computer, said device comprising:

(1) a first external hardware interface for pluggable connection to external hardware, said first interface being physically disposed in said device for receiving data from a first zone in a first zone data format (**column 13, lines 4-34 of Hair**);

(2) means disposed within said device for processing said received data through performance of a cryptographic operation on at least a portion thereof **(column 13, lines 55-65 of Hair)**;

(3) a second external hardware interface for pluggable connection to external hardware, said second interface being disposed in said device for sending said processed data to a second zone in a second zone data format **(column 13, lines 25-29 of Hair)**; and

(4) one of said interfaces being plug-in connectable to a host computer system **(see Figure 1a, element 20 and element 10; and column 12, lines 63-66 of Hair)**; and

(5) mean disposed within said device arranged to pass said processed data exclusively from said processing means to said second external hardware interface within said device **(column 13, lines 55-65 of Hair)**.

ii. Although Hair teaches the claimed subject matter wherein the transceiver of server and client can be treated as external hardware interface as shown in Figures 1 and 2 of Hair. However, Hair is silent on the capability of associating the interface with the cryptographic operation (if indeed is not inherent). On the other hand, Frailong teaches this limitation in **Figure 2, column 5, lines 14-23; lines 49-53 of Frailong**.

iii. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to:

(1) have modified the invention of Hair with the teaching of Frailong for including the cryptographic function with the server/client transceiver to improve network communication.

iv. The ordinary skilled person would have been motivated to:

(1) have modified the invention of Hair with the teaching of Frailong for securely initializing and reconfiguring a network interface device **(column 1, lines 27-28 of Frailong)**.

b. Referring to claim 2:

- i. Hair further teaches:

(1) means disposed within said device arranged to convert said received data in said first zone data format into at least one data format other than said first zone data format prior to said data processing (**column 22, lines 25-31 of Hair**).

- c. Referring to claim 3:

- i. Hair further teaches:

(1) means disposed within said device arranged to transform the data format of said received data from said first zone at least twice prior to said data processing (**column 22, lines 25-31 of Hair**).

- d. Referring to claims 6, 30:

- i. Hair further teaches:

(1) wherein one of the first and second external hardware interfaces is suitable for connection to said host such that the data format utilized by such a connected interface is one utilized by the host (**column 13, lines 20-24; column 13, lines 25-29 of Hair**).

- e. Referring to claim 8:

- i. This claim has limitations that is similar to those of claim 1,

thus they are rejected with the same rationale applied against claim 1 above.

- ii. In addition, Hair further teaches:

(1) wherein said operation performed by said processing means is such that if said sent processed data is intercepted by an unauthorized party, the recovery of said received data from said process data is computationally unfeasible (**column 5, lines 3-27 of Hair**).

- f. Referring to claims 25-27:

- i. These claims have limitations that are similar to those of

claims 1-3, thus they are rejected with the same rationale applied against claims 1-3 above.

- g. Referring to claim 32:

i. This claim has limitations that is similar to those of claim 8, thus they are rejected with the same rationale applied against claim 8 above.

5. Claims 4-5, 7, 28-29, 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hair (US 6,615,349 B1), in view of Frailong et al (US 6,496,858 B1), and further in view of Bruell et al (US 5,680,585).

a. Referring to claims 4, 28:

i. The combination of teaching between Hair and Frailong teaches the claimed subject matter. Hair further teaches:

(1) means disposed within said device for reading at least one item of identification data from each packet; wherein said processing means is arranged to process each respective packet in dependence on each corresponding item of identification data **(column 22, lines 25-31 of Hair)**.

ii. The combination of teaching between Hair and Frailong teaches a computer/network interface device with said first zone data format. However, they are silent on the capability of showing the first zone data format is packetized data. On the other hand, Bruell teaches the data format is packetized data **(column 2, lines 19-35 of Bruell)**.

iii. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to:

(1) have modified the modified-invention of Hair with the teaching of Bruell for defining network data packet format for use by data network communication devices **(column 1, lines 8-9 of Bruell)**.

iv. The ordinary skilled person would have been motivated to:

(1) have modified the modified-invention of Hair with the teaching of Bruell to design for efficiently and flexibly representing data packet formats **(column 2, lines 6-7 of Bruell)**.

b. Referring to claims 5, 29:

i. The combination of teaching between Hair, Frailong, and Bruell teaches the computer/network interface device. Bruell further teaches:

(1) a store located within said device for storing one or more rules, each rule being linked with at least one of item of identification data; wherein said processing means is arranged to process each packet in dependence upon the rule linked with the corresponding item(s) of identification data (**column 4, lines 7-33 of Bruell**).

c. Referring to claims 7, 31:

i. The combination of teaching between Hair and Bruell teach the computer/network interface device. Hair and Bruell further teaches:

(1) wherein one of the first and second external hardware interfaces is suitable for connection to said host such that the data format utilized by such a connected external hardware interface is one utilized by the host in which (**column 13, lines 20-24; column 13, lines 25-29 of Hair**), in response to receiving at least one control packet including at least an item of control identification data and control instructions through the other external hardware interface which is not connected to the host and reading said item of control identification data from a control packet (**column 21, line 67 through column 22, lines 1-34 of Hair**), said processing means is arranged to change said rules in said store in dependence upon said corresponding control instructions (**column 4, lines 7-33 of Bruell**).

**Conclusion**

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date

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of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanhnga (Tanya) Truong whose telephone number is 571-272-3858.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached at 571-272-3859. The fax and phone numbers for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

/Thanhnga B. Truong/

Primary Examiner, Art Unit 2135

TBT

July 3, 2008